



MINING ACT 1992

Exploration (mineral owner) licence application

FORM EL2

HOW TO COMPLETE THIS FORM

This form has been created as an interactive PDF.

Users can complete and save the form electronically using Adobe Reader. Alternatively, the form can be printed and filled out by hand. Adobe Reader can be downloaded free of charge from the Adobe website: <http://www.adobe.com/au/downloads/>

NSW Trade & Investment consents to the receipt of applications electronically, including the use of electronic signatures, in accordance with the *Electronic Transactions Act 2000*.

Signature fields within this form can be filled by:

- Pasting an image of the signature into the signature field. File types, such as JPEG or TIFF, can be inserted into the field by clicking on the box and following the prompts.
- Using the Adobe digital signature functionality. For further information on this option refer to: <http://www.adobe.com/security/digsig.html>
- Printing the form and signing

Form can be submitted by:

- Email: saved PDF applications can be submitted to elapplications@trade.nsw.gov.au
- Mail: Titles Branch, PO Box 344, Hunter Region Mail Centre NSW 2310
Titles Branch, Locked Bag 21, Orange NSW 2800
- In Person at the Mineral Resources Branch: 516 High Street, Maitland NSW 2320 or
161 Kite Street, Orange NSW 2800
- Fax: (02) 4931 6776 (Maitland)
(02) 6360 5363 (Orange)

For further information on lodgement please refer to the department's website:

www.resourcesandenergy.nsw.gov.au/miners-and-explorers/applications-and-approvals



Exploration (mineral owner) licence application

FORM EL2

This form is to be completed by individuals and companies applying for an exploration (mineral owner) licence.

It has been prepared in accordance with the requirements of Section 13 of the *Mining Act 1992* and Clause 14 of the *Mining Regulation 2010*. Mineral Owner Authorities replace the Private Mining Agreement provisions that existed prior to the commencement of the *Mining Amendment Act 2008*. Reference should also be made to Savings, Transitional and Other Provisions within Schedule 6 of the *Mining Act 1992* and Schedule 12 of the *Mining Regulation 2010*.

This application form must not be altered in any way. It can be either completed electronically using Adobe Reader (which can be downloaded free of charge from www.adobe.com.au) or printed.

Note: If an application is lodged and any information that is required to accompany that application is lodged with the Secretary more than 10 business days after lodging the application, the application is taken to have been refused (*Mining Regulation 2010 Clause 76(9)*).

From 1 July 2012, all authorisations are subject to an Administration Levy and Annual Rental Fee to improve regulation and continuing provision of pre-competitive geoscience information. New requirements have also been introduced in relation to minimum security deposits. For further information on these fees and minimum security deposits please refer to:

www.resourcesandenergy.nsw.gov.au/miners-and-explorers/applications-and-approvals/fees

The department's website provides comprehensive information relating to completion of applications, methods of lodgement, departmental policies, office locations, Native Title and contact details at:

www.resourcesandenergy.nsw.gov.au/miners-and-explorers/applications-and-approvals

Publication of Newspaper Notices by Applicant:

Newspaper advertisements giving notice of the application must be published by the applicant within 45 days after receipt of confirmation from the Secretary that the application has been lodged. A licence will *not* be granted until satisfactory copies of advertisements are lodged with the department. Refer to the advertising guidelines at: www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/policies

1. Name of applicant/s in full and ACN/s (if applicable):

The applicant for an exploration licence (mineral owner) application must be the owner/s of the mineral.

If the applicant/s is a foreign entity, by completing this form it is assumed they are authorised to operate and carry out business in New South Wales. Where the Minister has given consent for the lodgement of an application within a Mineral Allocation Area, the initial applicant must be the person or company to who consent was given.

Name	
ACN (if applicable):	

Name	
ACN (if applicable):	

Name:	
ACN (if applicable):	

If there are more than three applicants please provide information on additional applicants on a separate sheet accompanying this application. Please include name and ACN (if applicable) of each applicant. To indicate that there are additional applicants please check the box below:

2. For individuals only: Are you aged 18 years or over?

The *Mining Act 1992* (Section 129) requires holders to be at least 18 years of age.

Yes No

3. Have you (in the case of a company: any director of the company) ever contravened the *Mining Act 1992*, or the regulations, or been convicted of any other offence relating to mining or minerals?

Where the answer is `yes', you must give full details of the offence. If you have been convicted of an offence under the *Mining Act 1992*, this will be taken into consideration in making any recommendations regarding the grant of an exploration licence.

Yes No

If yes, provide details:

If further space is required please attach an additional sheet to the back of this application.

4. Registered street address of each applicant:

The registered street address of an applicant is required for inclusion in the authority document and should not be a post office box. The registered street and postal address will be retained in the Titles database for future correspondence following the grant of the licence.

Name:	
Registered Street Address:	
Postal Address (if different):	

Other applicants:

Name:	
Registered Street Address:	
Postal Address (if different):	

Name:	
Registered Street Address:	
Postal Address (if different):	

5. Contact details for this application:

Specify the name and contact details of the person to whom any notices or documents are to be served in regard to this application only. These details will not be stored in the Titles database. All further correspondence following the grant of this authority will be to the registered office or postal address of the holder of the licence.

Contact Name:	
Position Held:	
Postal Address:	
Phone (inc. area code):	
Fax:	
Mobile:	
Email:	

- Check this box if email is your preferred method of contact for this application
Note: must be an official company email address

6. Mineral/s sought:

Only mineral/s that are owned by the applicant can be applied for.

Details of mineral groups can be obtained from Schedule 2 of the *Mining Regulation 2010* which can be accessed online at: www.legislation.nsw.gov.au.

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7. Period for which licence is sought:

If granted an Exploration (Mineral Owner) Licence will have a two year term (Section 27 (b)(i)).

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6. Payment of prescribed fee:

The prescribed fee may be paid either by cheque, credit card or direct deposit. The department accepts Mastercard/ Visa/Amex/Diners cards. Contact Titles staff at one of the department's offices if you wish to deposit funds directly to the department's account. Direct deposits will require a copy of the deposit receipt issued by the banking authority as evidence to accompany the application form.

See Schedule 10 of the *Mining Regulation 2010* which can be accessed online at: www.legislation.nsw.gov.au

Select Payment Method:

- Direct Deposit
- Cheque (*payable to NSW Trade & Investment*)
- Credit Card (see below)

Payment Amount:	
Type of Card :	<input type="checkbox"/> Mastercard <input type="checkbox"/> Visa <input type="checkbox"/> Amex <input type="checkbox"/> Diners
Cardholders Name:	
Card Number:	
Expiry Date (mth/yr):	

9. Checklist of items to be included with this application:

Note: If an application is lodged and any information that is required to accompany that application is lodged with the Secretary more than 10 business days after lodging the application, the application is taken to have been refused (*Mining Regulation 2010 Clause 76(9)*).

(a) A copy of the Minister's consent to apply for an allocated mineral within a Mineral Allocation Area (if applicable) A copy of the Minister's letter of consent must be submitted with the application. This requirement applies to all applications for exploration licences for Group 9 (coal and oil shale) and Group 11 (uranium and thorium) . Refer to the departmental website for further details regarding Mineral Allocation Areas.	<input type="checkbox"/>
(b) The application fee prescribed by the <i>Mining Regulation 2010</i>	<input type="checkbox"/>
(c) A description, prepared in the approved manner, of the proposed exploration area. Section 25 of the <i>Mining Act 1992</i> provides that the land over which an exploration licence is granted may not include any land outside the land sought. Great care must therefore be taken when specifying the area required, as well as any depth restriction, surface exception or strata. The prescribed manner of describing the land is by means of: (a) Lot and Deposited Plan number/s covering the land being applied, or (b) A standard map (as defined in Clause 9 of the <i>Mining Regulation 2010</i>) showing the alignment of the proposed licence boundaries relative to the Map Grid of Australia co-ordinates of all the points where there is a change in direction of the boundaries of the land. The co-ordinates must be supplied in electronic format as a Microsoft Excel Spreadsheet.	<input type="checkbox"/>

If applicable, details of any depth restriction, surface exception or strata sought must be provided and shown on the map. The table in Appendix 1 must also be completed.

Depth restriction sought -

means the depth to which you require the licence to extend, with a maximum depth of 900 metres below Australian Height Datum (AHD).

Depth of surface exception in metres -

means the area of surface and soil below the surface **not** applied for.

Strata sought -

the soil below any two specified depths or a coal seam, with a maximum depth of 900 metres below AHD.

(d) Particulars of the financial resources available to the applicant

Particulars of financial resources must be provided in either the form of:

- a) a certificate issued by a member of CPA Australia or the Institute of Chartered Accountants in Australia (including their membership number), or
- b) a statutory declaration

Stating that the applicant has sufficient financial resources at the time of lodgement to meet the financial commitments on all the applicant's authorities and authority applications.

(e) Particulars of the relevant technical advice available to the applicant

List details of persons or organisations providing technical advice. The name and contact details of a person who will be responsible for the supervision of prospecting operations and for the preparation of exploration reports (technical manager) *must* be provided. The qualifications and experience of the technical manager must be supplied. If the technical manager is not an employee of the applicant, acceptance of the role must accompany this application. **It is expected that the technical manager will be a qualified geoscientist with mineral exploration experience.**

(f) Particulars of the program of work proposed to be carried out by the applicant in the proposed exploration area

The proposed exploration program of work must contain sufficient detail to satisfy the department that the full area applied for will be effectively explored for the duration of the period sought. It should include a year by year summary outlining area selection rationale, objectives and exploration activities. The following headings and descriptions should be used:

For Mineral Groups 1 to 8 and 11:

Rationale - to contain a brief (1-2 paragraph) description of area selection rationale, including significant aspects of regional geology and structures. Reference should also be made to commodities and style(s) of mineralisation. Applications for greater than 100 units will only be considered if they contain strong justification. The program for these must clearly demonstrate how the full area applied for will be effectively explored and must include explanatory A4 maps clearly showing proposed work areas.

Objectives - to include a brief description of anticipated outcomes or advances made to the project on conclusion of the program.

Exploration activities - description of proposed exploration activities. Should show conformity with stated rationale and objectives and be clearly scheduled over a minimum two year period.

For Mineral Group 9:

Objectives - to include a brief description of anticipated outcomes or advances made to the project on conclusion of the program.

Exploration activities - detailed description of all proposed exploration activities including a map showing the area/s of each proposed activity.

(g) Particulars of the estimated amount of money that the applicant proposes to spend on prospecting in the exploration area

A statement providing an estimate of the expenditure expected to be incurred to conduct the proposed program of work at (f) above.

The Exploration Titles Committee may set a yearly expenditure based on the proposed program of works.

Guide to Minimum Expenditure Requirements for Exploration (Mineral Owner) Licences:

Area	Expenditure Requirements
1 Unit or 3 sq Km or less	\$5000 p/a
Between 3 and 36 sq Km	\$2,000 plus \$3000 per unit p/a

(h) Evidence that the minerals to which the application relates are owned by the applicant

Copies of the land grants and searches indicating the minerals sought are privately owned by the applicant. For the purposes of confirming an applicant's ownership of any mineral, the Secretary may require the applicant to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the applicant owns the mineral.

(h) The environmental performance record (as defined in Clause 4 of the *Mining Regulation 2010*) of the applicant/s.

Clause 4 defines environmental performance record as:

(1) The following information is prescribed as the **environmental performance record** of the relevant person for the purposes of making an application under this Regulation:

(a) details of any conviction under environmental protection legislation or other relevant legislation in the 5 years immediately before the application is made, of:

(i) the person, and

(ii) if the person is a natural person --any corporation of which the person was a director at the time of the offence leading to that conviction, and

(iii) if the person is a corporation --each director of the corporation, any related corporation of the corporation and any other corporation of which a director was also a director at the time of the offence leading to that conviction,

(b) details of any of the following approvals under environmental protection legislation or other relevant legislation if the approval has been revoked or suspended in the five years immediately before the application is made:

(i) any approval held by the person,

(ii) any approval held by a corporation of which the person was a director at the time of the revocation or suspension,

(iii) if the person is a corporation --any approval held by a related corporation of the corporation and any other corporation of which a director of the person was also a director.

(2) In this clause, **approval** includes consent, licence or permission or any form of authorisation.

10. Certification

This form should be signed by the applicant/s (individuals) or an authorised representative of the applicant/s company/s, or the agent who is authorised to act on behalf of the applicant/s.

I/We certify that the information provided in this application is true and correct. Note: It is an offence under Section 378C of the *Mining Act 1992* to provide false or misleading information.

Click within signature box to insert image

Name:	
Position / Title:	

Signature:	
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Other applicants:

Name:	
Position / Title:	

Signature:	
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Name:	
Position / Title:	

Signature:	
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Or agent authorised to act for this applicant/s:

Name:	
Position / Title:	

Signature:	
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Applications must be lodged with the Secretary.

For information on methods of lodgement refer to the front page of this form or www.resourcesandenergy.nsw.gov.au/miners-and-explorers/applications-and-approvals

Service delivery standards have been implemented for the processing of applications under the *Mining Act 1992*. The target time for the processing of exploration licence applications is:

Minerals (other than coal): 45 business days
Coal: 85 business days (to allow for public comment process)

In order to efficiently process and report on applications, a new process has been implemented that includes 'stop the clock' provisions. The processing clock starts when a complete application, including all required supporting material is received. Processing is complete when the applicant is notified of the result of the decision. For further information on stop the clock events please refer to www.resourcesandenergy.nsw.gov.au/miners-and-explorers

OFFICE USE ONLY

Application Received:

Time:	am/pm	Date:	
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Fee:		Amount:	\$1,000
Receipt no:		WBS:	D1655-1
		GL:	Z4014
		Amount:	\$ (\$2.00/ha/yr)
		WBS:	D152-17 (coal) D152-19 (other)
		GL:	Z4010

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Received under delegation from the
Secretary.

For credit cards:

Following confirmation of payment remove the first eight (8) digits of the credit card number from this form. Ensure that any saved copy does not include full credit card details.

PRIVACY STATEMENT

This information is collected by the Department of Trade and Investment, Regional Infrastructure and Services (NSW Trade & Investment) for the purposes of assessing an application for an authorisation or associated with an authority as required by the *Mining Act 1992* or *Mining Regulation 2010*.

This information may also be used by the department to confirm applicant details in the event that subsequent applications are made, and may also be used to establish and maintain databases to assist the department with its work generally.

Except for purposes required by law, the information will not be accessed by any third parties in a way that would identify the person without the consent of that person.

You may apply to the department to access and correct any information the department holds if that information is inaccurate, incomplete, not relevant or out of date.

APPENDIX 1 - DETAILS OF ANY DEPTH RESTRICTION, SURFACE EXCEPTION OR STRATA SOUGHT (IN ADDITION TO MAP)

Total Area Sought m² ha km²

Surface Area Required m² ha km²

Surface Exception (metres)

Depth Restriction (metres)
- other than the maximum 900m
below AHD

Strata sought
(eg. the strata between the base
of the black seam to the top of
the white seam)